

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

NADINE PERRY

PLAINTIFF,

v.

Case No.: CL 12001766-00

7-ELEVEN, INC.,

DEFENDANT.

ANSWER

COMES NOW the defendant, 7-Eleven, Inc., by counsel, and in response to plaintiff's Complaint filed herein states as follows:

1. That with regard to Paragraph One (1) of plaintiff's Complaint, this defendant admits that plaintiff was on the premises of the subject 7-Eleven Store identified therein and that such store is owned by this defendant. The remaining allegations are a statement of law not requiring a response at this time. To the degree a response is required, this defendant denies the allegations therein.

2. That with regard to Paragraph Two (2) of plaintiff's Complaint, this defendant admits the allegations contained therein.

3. That with regard to Paragraph Three (3) of plaintiff's Complaint, this defendant denies the allegations contained therein.

4. That with regard to Paragraph Four (4) of plaintiff's Complaint, this defendant denies the allegation contained therein and demands strict proof thereof.

5. That with regard to Paragraph Five (5) of plaintiff's Complaint, this defendant denies the allegation contained therein and demands strict proof thereof.

6. That with regard to Paragraph Six (6) of plaintiff's Complaint, this defendant denies the allegation contained therein and demands strict proof thereof.

7. That with regard to Paragraph Seven (7) of plaintiff's Complaint, this defendant denies the allegation contained therein and demands strict proof thereof.

8. That with regard to Paragraph Eight (8) of plaintiff's Complaint, this defendant denies the allegation contained therein and demands strict proof thereof.

9. That with regard to Paragraph Nine (9) of plaintiff's Complaint, this defendant lacks sufficient information to either admit or deny the allegations contained therein and they are therefore denied and strict proof is demanded.

10. That this defendant denies that it is indebted to the plaintiff in the amount of TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000.00) or in any amount.

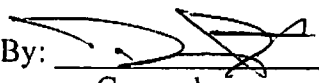
11. This defendant will rely on the defenses of contributory negligence, assumption of the risk and/or open and obvious condition, to the extent those defenses are supported by the evidence as obtained through discovery, investigation of otherwise.

12. That this defendant reserves its right to assert additional defenses to this cause, affirmative or otherwise, if it is later determined that such defense is available to it.

13. To the extent that any allegation is not specifically admitted, it is denied.

WHEREFORE, the defendant, 7-Eleven, Inc., prays that this court dismiss the Complaint filed by the plaintiff, and enter judgment in favor of the defendant, allowing it attorney's fees and costs in this behalf expended.

7-ELEVEN, INC.

By: 
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed first class postage prepaid,
this 20th day of April, 2012, to:

W. Ware Morrison, Esquire
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Counsel for the Plaintiff



David L. Dayton